

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	CRIMINAL NO. 19-3113 JB
)	
ROBERT PADILLA, ET AL.,)	
)	
Defendants.)	

UNOPPOSED MOTION TO CONTINUE DEADLINE TO FILE MOTIONS *IN LIMINE*
AND CORRESPONDING DEADLINE TO RESPOND

The United States of America, through its undersigned counsel, and hereby respectfully moves the Court for an order continuing deadline to file motions *in limine*, which is currently Friday, June 28, 2021, and the corresponding deadline for filing Responses, currently July 2, 2021. As grounds, the Government states:

1. On September 11, 2019, a grand jury returned a 19-count Indictment charging all 12 Defendants with conspiracy to commit distribution of controlled substances. *See* Indictment, Count 1 [Doc. 2]. Each Defendant is also charged in one or more of the other 18 counts. *Id.* at Counts 2-19.

2. The Jury Trial of this matter is scheduled to begin on October 18, 2021. Pursuant to the Scheduling Order filed in this case, Doc. 288, the deadline to file motions *in limine* was originally May 28, 2021.

3. Ryan Villa, counsel for Defendant Tomas Sanchez, submitted their first Unopposed Motion to Extend Motion *In Limine* Deadline to June 18, 2021. Doc. 447. The Court entered an order granting that motion. Doc. 485.

4. Robert Padilla, through his attorney Joe Romero, filed two motions *in limine* on June 20, 2021. Docs. 476, 477.

5. Mr. Villa, on behalf of Defendant Tomas Sanchez, submitted a second Unopposed Motion to Extend Motion *In Limine* Deadline to June 25, 2021, which is still pending the Court's review. Doc. 479

6. If the motions are granted, the motions *in limine* deadline would have been June 25, 2021.

7. Offers to resolve the case have been extended to all remaining defendants. The United States believes that there is a strong likelihood of successfully negotiated plea agreements without the need for trial or the filing of any motions *in limine* for multiple defendants.

8. Defendant Tomas Sanchez pled guilty to the Indictment on July 15, 2021.

9. Accordingly, the United States is requesting an additional twenty-eight (28) days be added to the deadline.

10. If granted, the motions *in limine* deadline would be Friday, July 23, 2021, the response deadline would be August 6, 2021, and the reply deadline would be August 20, 2021

11. Good grounds exist for continuing the deadlines to allow the parties additional time to attempt to reach stipulations.

12. Based upon a balancing of those considerations, the interests of the parties would not be prejudiced by the deadline extension. Indeed, the interests of justice would be substantially extending the deadlines for the reasons set forth above.

13. Counsel for the Defendants set forth below join in this request:

- a. Joe M. Romero on behalf of Defendant Robert Padilla;
- b. Megan Mitsunaga behalf of Defendant Janaya Atencio;
- c. Ryan J. Villa on behalf of Tomas Sanchez;

- d. Gregory M. Acton on behalf of Ashley Romero;
 - e. Wayne Baker on behalf of Jonathan Vigil; and
 - f. Michael V. Davis on behalf of Defendant Genevieve Atencio.
14. Michael Alarid, Jr. on behalf of Marcos Ruiz has not responded.

WHEREFORE, the parties respectfully request that the Court grant an extension of time for submitting motions *in limine* until July 23, 2021; responses to motions *in limine* until August 6, 2021; and replies to motions *in limine* until August 20, 2021.

Respectfully submitted,

FRED J. FEDERICI
Acting United States Attorney

/s/ Electronically filed
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I HEREBY CERTIFY that I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel of record to be served by electronic means, on the 15th day of July, 2021.

/s/
Robert I. Goldaris
Elaine Y. Ramírez
Assistant United States Attorneys